

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. By this Amendment, Applicant has amended claims 2 and 13 and added new claims 15-21. Therefore, upon entry of this Amendment, claims 1-14 are all the claims pending in the application. In response to the Office Action, Applicant respectfully submits that the claims define patentable subject matter

I. Overview of the Office Action

Claims 1, 2, 5, 6, and 13 are rejected under 35 U.S.C. § 102(e) as being anticipated by Gunji et al. (U.S. Patent No. 7,212,725, hereafter, “Gunji”). Claims 3, 7, 9, 10, 11, and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gunji in view of Oka et al. (U.S. Patent No. 6,828,994, hereafter, “Oka”). Claims 4, 8, and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gunji in view of Oka and further in view of Priamo et al. (U.S. Patent No. 4,530,090, hereafter, “Priamo”). Applicant respectfully traverses the prior art rejections.

II. Preliminary Matters

A. Foreign Priority

Applicant thanks the Examiner for acknowledging Applicants’ claim for Foreign Priority, and confirming receipt of a certified copy of the priority document in the United States Patent and Trademark Office.

B. Information Disclosure Statement

Applicant thanks the Examiner for initialing and returning copies of the PTO/SB/08 forms submitted with the Information Disclosure Statements filed on September 30, 2003 and September 14, 2004.

C. Objection to the Title of the invention

The Examiner has objected to the title of the invention as not being descriptive. By this Amendment, Applicant has amended the Title of the Invention to read "RECORDING MEDIA EDITING APPARATUS FOR EDITING IMAGE DATA STORED ON DIFFERENT TYPES OF RECORDING MEDIA". Accordingly, the Examiner is requested to remove the objection to the title of the invention.

III. Prior Art Rejections

Disclosure of Gunji

Gunji generally relates to a method for recording video data onto recording media wherein the remaining capacity of a recording medium is calculated when picture recording reservation is made so as to permit the user to easily understand the reservation status and whether the reservation recording is possible or not (the Abstract). Video information can be recorded and reproduced on a hard disk in a format of a DVD standard and compressed video information can be recorded and reproduced on a removable DVD. A disk may be specified for recording and a picture recording reservation made, and a reservation table is stored in a memory. Then, picture recording reservation time information and the remaining capacity of the disk are calculated and whether or not reservation picture recording can be made can be displayed in a list form (the Abstract).

Analysis

The Examiner alleges that Gunji discloses all of the features of independent claim 1 and analogous independent claim 13. Applicant respectfully disagrees with the Examiner's position.

The Examiner contends that Gunji teaches or suggests all of the features of claims 1 and 13. Claims 1 and 13 recite in part "recording size reading means for reading sizes of a free space and a used space in each of recording media of different types, the recording media respectively storing digital image data". The Examiner cites FIG. 4 and column 9, line 57 to column 10, line 10 of Gunji as allegedly disclosing this feature of the claim. However, although this cited portion of Gunji discloses displaying the recorded capacity, to-be-recorded capacity and available capacity of a hard disk (HD) and a digital versatile disk (DVD), Applicant respectfully submits that there is no teaching or suggestion in Gunji of reading means for reading the sizes of a free space and a used space in recording media as required by the claim. In fact, Gunji discloses calculating the available capacities of the disks (column 10, lines 11-42). Nowhere does Gunji teach or suggest reading the capacities or free and used space in different recording media.

Further, Applicant respectfully submits that there is no teaching or suggestion in Gunji of the feature "first image data editing means for editing the digital image data stored in each of the recording media whose used space size and free space size are displayed by the recording size display means", as recited in independent claim 1 and analogously recited in independent claim 13. The Examiner cites column 6, line 57 to column 7, line 6 and column 4, line 60 to column 5, line 2 of Gunji as allegedly disclosing this feature of the claim. However, these cited portions of Gunji merely disclose decoders for decoding the main video data, sub-video data, and audio data, and recording information from a hard disk onto an optical disk without performing an encoding

process in the case where the information on the hard disk has the same data format as the optical disk, and performing an encoding process in the case where the information on the hard disk is different from the data format of the optical disk.

Nowhere do these cited portions (or any other portion) of Gunji teach or suggest means for editing (for example, resizing) the image data stored in recording media.

Further with respect to claim 13, claim 13 recites in part:

recording area display means for displaying on a display device a recording order of the digital image data recorded in the recording medium and an image file size corresponding to the number of recorded pixels thereof for visual confirmation of the position and the image file size, based on the recording area read by the recording area reading means.

Applicant respectfully submits that this feature of the claim is neither taught nor suggested by Gunji. The Examiner appears to cite FIG. 4 of Gunji as allegedly disclosing this feature of the claim. However, FIG. 4 of Gunji merely discloses a recording method which details the dates and times on which various television channels or programs are scheduled to be recorded on various recording media, and not the frame order in which the data recorded on a particular date, for example, 4/12, is recorded on the DVD (the recording destination). Nowhere, does this cited portion (or any other portion) of Gunji teach or suggest displaying a frame recording order in which data sets are recorded on recording media.

Still further, Applicant respectfully submits that there is no teaching or suggestion in Gunji of displaying an “image file size corresponding to the number of recorded pixels thereof for visual confirmation of the position and the image file size, based on the recording area read by the recording area reading means”, as recited in the claim.

The Examiner asserts:

It is inherent that the image file size corresponds to the number of recorded pixels because Gunji et al teach the video data is compressed in MPEG1 or MPEG2 format in column 4, line 23. in MPEG, each frame or image contains macroblock and each macroblock contains 16x16 pixels.²

Applicant finds the Examiner's position unclear and confusing. Nevertheless, Applicant submits that it is quite obvious that Gunji does not disclose displaying an image file size corresponding to the number of recorded pixels.

Further, Applicant respectfully submits that there is no teaching or suggestion in the cited references of the feature "wherein editing the digital image data comprises resizing the digital image data and displaying areas of the digital image data that are saved by the resizing in at least one bar graph", as recited in amended claim 13.

For these reasons, Applicant respectfully submits that the Examiner's § 102 rejection of claim 1 is erroneous.

With respect to the prior art rejection of claim 3, the Examiner concedes that Gunji does not teach or suggest "wherein the first image data editing means moves the digital image data stored in one of the recording media to another one of the recording media by moving a portion in the bar graph corresponding to the used space of the former recording medium to a portion in the bar graph corresponding to the latter recording medium", as recited in the claim. The Examiner thus relies on Oka to allegedly cure this conceded deficiency, and contends that it would have been obvious to one of ordinary skill in the art to combine Gunji with the teaching of

² Page 3 of the Office Action dated July 24, 2007.

Oka in order to “quickly transfer or erase data”. Applicant respectfully disagrees with the Examiner’s position.

Applicant respectfully submits that there is simply no teaching or suggestion in Oka of moving data stored in a recording media to another recording media by moving a portion of a bar graph corresponding to the used space of the former recording media to a portion of the bar graph corresponding to the second recording media. Oka discloses dragging a part of a trim bar display (DV4, FIG. 38) to a trash can display in order to erase the part DV4. Nowhere does Gunji disclose moving data from one recording media to another by moving a portion of a bar graph as required by the claim.

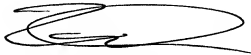
With regard to the remaining rejections, Oka and Priamo do not make up for the deficiencies of Gunji.

Accordingly, Applicant respectfully submits that independent claims 1 and 13 as well as their dependent claims 2-12 and 14-21 should be allowable because the cited references do not teach or suggest all of the features of the claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark E. Wallerson', written over a horizontal line.

Mark E. Wallerson
Registration No. 59,043

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 26, 2007